

MESSAGE NO: 3013211 MESSAGE DATE: 01/13/2003

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-864

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/01/2001 TO 10/31/2002

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION OF MAGNESIUM FROM CHINA (A-570-864)

MESSAGE NO: 3013211

DATE: 01 13 2003

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 864

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PERIOD COVERED: 11 01 2001 TO 10 31 2002

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION OF MAGNESIUM FROM CHINA (A-570-864)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213(b) OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO

ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR  
WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH  
DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY  
TO WHICH THE FOLLOWING INFORMATION APPLIES:

GRANULAR MAGNESIUM FROM THE PRC 11/01/01 TO 10/31/02

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF  
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND  
PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH  
DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT  
ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE  
ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO  
THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.  
SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON  
OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE  
REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES.  
THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS  
POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF  
PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL  
BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED  
ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE  
RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT  
UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR  
SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD  
REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT  
AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT  
REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT  
STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE  
IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO  
BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE  
ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED

REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT MICHAEL STROLLO AT 202-482-0629, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party